

be deleted (Claim 1(f)). Thus, in the Applicant's invention there are segregated databases in the server for each client, organized by the unique client identifier. These segregated databases are arranged so that once a record is entered into a segregated database, it cannot thereafter be deleted. Thus the core function of the Applicant's invention as described and claimed in Claim 1 is to have a server system connected to a client system where the client system can enter a record into the server system, through a unique client identifier, and into a segregated database in that server. Each subscriber to the system can have a unique client identifier and thus have a unique segregated database in the server system. The unique database is segregated from other databases of other clients.

By analogy, the Good reference is much like an open stack library. The purpose of the library is to allow wide dissemination of information. The pages in an open stack library are not pulled from books and thrown in a pile on the floor. They are, of course, organized (segregated) according to some filing system by title and so on, but the fact that the 14th page of Gone With the Wind is "segregated" from the 28th page of Harry Potter and the Sorcerer's Stone is quite different from the Applicant's system. The Applicant's system is more like a safe deposit vault at a bank. Each client has a safe deposit box (segregated database). The client has the keys (the unique client identifier) which allows the client to add material to the safe deposit box (segregated database). However, unlike a safe deposit box vault at a bank, a client cannot remove items once they are entered into the database (safe deposit box) in the Applicant's invention.

The Examiner argues that Good discloses a segregated database for storing records. by reasoning that Good discloses storing records in a regional terminal - i.e. server, which is physically separate or set apart from a local terminal - i.e. server. This misunderstands the meaning of the term "segregate" in the Applicant's invention. Here, within the same server, records with a different client identifier are distinguished and set apart - i.e. segregated from each other. The

Examiner goes on to reason that records are stored and keyed by separate unique identifiers in the Good system - hence are segregated from each other. However, using the Examiner's reasoning, any records would be by definition segregated since if they are separately identifiable under some organizational principle that, by the Examiner's reasoning, means they are segregated. Under current Federal Circuit practice and through the Trademark Trial and Appeals Board, the specification is read to provide enlightenment as to the meaning of the words in a claim. (See in re Donaldson Inc. 60F 3D 1189 29 USPQ 2d 1949 1994) Here the Applicant's segregated database keyed to a unique client identifier provides an electronic log book for a client which is segregated and unique to that client. Good does not disclose such a system as described and claimed by the Applicant. The Examiner also argues that the Applicant fails to make a distinction between separate or segregated records and databases stating that the claim language recites the database as segregated. The particular record once entered into a database becomes by necessity a part of that segregated database - i.e. part of the material contained within the segregated database (safe deposit box). This is in contrast to the Good system which is designed as its core function to make records generally available.

The Examiner reasons that Good-Sandifer does teach records are permanently stored - i.e. write protected in the server system and backup system. The Examiner asserts that the Sandifer discloses unalterable records in concluding that "whether during transfer or not, write protection prevents editing of an inspection record." However, this ignores the language that records are "write protected whenever they are transferred." Good (Sandifer Column 35 Line 19) However, it is clear that Sandier allows an inspection record to be altered if the user's authority level allows editing and the inspection is not "write protected". (Sandifer Columns 35, Lines 26-27) This makes it clear that in the Sandifer database records can be altered at their original site before they are write protected or transferred. The Examiner states that during patent examination and prosecution claims must be given their broadest reasonable (emphasis added) interpretation. The

Examiner then concludes that giving instant claims its broadest reasonable interpretation “permanent records in said server system and backup system” is broad enough to read on the write protection of inspection records during transfers to other sites of Sandifer. Here, the Applicant is unsure what is meant by the Examiner’s quotation of “permanent records in said server system and backup system”. The language in quotes is evidently used by the Examiner to conclude that this quoted language reads on the write protection of the inspection records during transfer to other sites in Sandifer. However, the language “permanent record ...” is not actually found in Claims 1, 8 and 14 of this Application. Consequently, the Applicant is unsure what the Examiner means. If the Examiner is stating that the language “permanent records in said server system and said backup system” is a quote from the Applicant’s claims, the Applicant traverses this conclusion of the Examiner since this language is not found in the Applicant’s claims. If this is not the Examiner’s meaning, then the Applicant is unsure where the quoted language comes from and what the Examiner meant by the quote and for that reason Applicant cannot respond to it further other than as outlined above pointing out that the Sandifer invention does not provide for permanent, undeletable records as is disclosed and claimed by the Applicant.

Examiner asserted that the motivation provided to “provide security for each record so that critical information is not tampered with or changed” would have been in the knowledge available to one of ordinary skill in the art. This assertion both trivializes and misunderstands the Applicant’s arguments. The Applicant’s invention is directed toward a service for subscribers that provides widely dispersed client systems the ability to enter a document or record into the central server system not under the control of the client or the client system. Thus the server system stands as a third party guarantor of the integrity of the records that are entered into the server system. This application is not simply a way of providing security for a record. While certainly there is a known motivation to provide security for records, the Examiner could cite no prior art or motivation to do so in the way described in the Applicant’s application and claimed in the Applicant’s claims where

a remote server keeps segregated databases so that once a record is entered in the server system it cannot be altered or changed by the client entering these records. Once entered the records are permanent. Thus, the application is not simply the notion of a secure database nor even the notion of write protection for the records, but it is rather the combination as described and claimed in the Applicant's invention. The Applicant's invention provides a third party guarantor that records are original and unaltered - a function not shown or suggested by Good and Sandifer. The Examiner's conclusions fail to recognize what is the essential novelty of the Applicant's invention - hence, failed to provide any motivation for combining the references as the Examiner did.

Claims Rejections 35 U.S.C. 103

Claims 1-2 and 8-9 are rejected under 35 U.S.C. 103 as being unpatentable over Good, U. S. Patent #6,308,120 in view of Sandifer, U. S. Patent #6,292,806. The inventor respectfully traverses the conclusion that either the Good or Sandifer patents constitute prior art as to this inventor. Without waiving that traversal, the inventor responds to the rejection of Claims 1-2 and 8-9 as follows:

General Observations

The Good '120 patent is directed toward a system to allow geographically dispersed locations to monitor and track vehicle repair records in a coordinated fashion. It would be useful for a nationwide company using an in-house network to track vehicle repair records. It is noted this patent is assigned to the U-Haul International Company, which would obviously have need of such an information management system to maintain and track its widely dispersed rental vehicles throughout the United States. In the Good system, there is a hierarchial organization with local communication terminals (103) communicating to a regional communication terminal (102) communicating with a central equipment manager (101). The purpose of the Good invention is to

allow database files to be exchanged on a nationwide basis between local communication terminals (103), regional communication terminals (102), and the central equipment manager (101) to allow for accurate and timely dissemination of service status information on vehicles tracked within the system. The Sandifer '806 patent is directed toward a computer based apparatus to provide access to complex technical information, such as aircraft, to enable compliance with regulatory requirements. The Sandifer invention uses a computer based apparatus to facilitate dissemination of technical information and to replace the microfiche storage of information. As the Sandifer patent puts it: "It would be desirable to provide an approach that would enable subscribers to interact with a single interface to all publications required for maintaining and repairing a specific aircraft." Col 1, lines 51-54. Incidentally, the Sandifer patent talks of the possibility of maintaining an electronic log book but does not recognize or teach the desirability of maintaining that log book in a segregated, permanently stored, unalterable database.

Here, the Goodwin invention recognizes and meets a previously unmet need. As explained on page 9 of the application, there is a need not only for records that are readily accessible and easily used, but whose accuracy are guaranteed by a third party so that it will be impossible for a user, however motivated, to alter the records once they have been entered in to the remote database. As was explained on page 14 of the application, lines 3-4, once the records are permanently entered into the client database (22), they are thereafter undeletable by the client. The application goes on to explain that once records are entered into the client database, they are permanently stored in the database back-up as a duplicate client database. A duplicate database (22A) provides a permanent back-up for records which are undeletable by the client and serves as a guarantor of the accuracy and completeness of the records.

Detailed Response

The Examiner reasons that the Good central equipment manager (101) acts as a back-up

server by storing all service status information for each region. Applicant concedes that a central equipment manager (101) of the Good reference serves as a redundant storage of all service information for each region. As such, under the Good patent, each region and each communication terminal has access to all information stored in the central equipment manager. The purpose of the central equipment manager is not to serve as a back-up record storage, but rather to serve as a central clearing house for information to make it available throughout the network. This is important because the Goodwin application requires in Claim 1, paragraph f, that: ...“under the control of said server system, receiving said record with said data and said unique client identifier, and storing said record in a segregated database keyed to said client identifier...” (emphasis added). The Examiner reasons that the regional communication terminal of the Good patent receives the records and stores them in its database, which have identifiers for the records. However, there is nothing in the Good patent that indicates that this is a “segregated” database. In the Goodwin application, “segregated” is used in its usual dictionary meaning of “set apart or separated.” In this application, the records in the segregated database keyed to one client identifier are set apart or separated from all records in a different database keyed to a different client identifier. This is unlike the Good patent where all records are generally available throughout the system. In fact, it is the core function of the Good patent to make these records generally available. In that sense, the Good patent teaches away from the segregated uniquely identified client databases of the Goodwin application.

The Goodwin application in Claim 1, paragraph g, requires that: “...under the control of said back-up system, receiving said completed record form permanently stored in said server system, and making a permanent back-up so that a back-up of said segregated database is made.” The Examiner reasons that in the Good patent, the regional communication terminal (102) sends vehicle service and status information to a central equipment manager (101), which is a back-up to the regional communication terminal database. As pointed out above, there is nothing to indicate that these records are in a segregated database and keyed toward a unique client identifier, as is required

in the Goodwin application. Indeed, as noted above, the Good patent provides the widest possible dissemination of records rather than segregating the records in a database to be available only through use of the unique client identifier. The Examiner reasons that Good fails to explicitly teach that each record is permanent, unalterable, and undeletable. The Examiner then uses Sandifer to reason that: "Write protection is provided such that each inspection is permanent, i.e. lasting forever, attached to each record so that it is unalterable (Sandifer - column 35, lines 14-22)". The Applicant respectfully traverses this conclusion of the Examiner regarding the Sandifer patent. In the Sandifer log book function, which is described beginning at the bottom of column 33 and continuing through line 56 of column 34, Sandifer notes that current Federal Aviation Regulations require an original log book be kept at an aircraft's base of operation. Sandifer notes that the Federal Regulations require any mechanic who services an aircraft sign the original log book, which creates a problem that if an aircraft ever should need service somewhere other than the base, one regulation or another may be violated. Sandifer thus suggests that electronic log books provide the ability to have multiple original log books. Sandifer explains that for certain records, such as inspection and compliance records, a "...write protect flag is set automatically upon extraction of a record during an electronic log book transfer. Although write protected records could still be altered by the site that created them, the records would be unalterable at other sites, thus, securing the inspection and compliance information." (Column 34, lines 24-31, Sandifer '806). (Emphasis added). Thus, while the Sandifer patent teaches that records may be write protected, they are only write protected and unalterable during a transfer at sites other than the aircraft's base site or at least the site of record creation. As Sandifer explains, the records could still be altered at the [primary storage site that created them. Thus, Sandifer recognizes that electronic log book may be desirable, but it does not take the next step recognized by the Goodwin invention. That is to say, in Sandifer, sites other than the plane's base site cannot alter a record entered into the system that is write protected, but that record may still be altered at the original site that created the record. This is in contrast to the Goodwin invention that once a record is permanently entered into and segregated in a

database in the system, it is permanently recorded and unalterable both within the system and within the permanent back-up. The Examiner references lines 14-22 of column 35 of the Sandifer patent where Sandifer discusses again this write protection function. However, what is done in the Sandifer system is records are “write protected whenever they are transferred.” Col 35 Lines 17-18. That is to say the records employ a key unique to the site where they were created. Thus, making the records “unalterable at all other sites” after transfer. However, as was explained above, even the write protected records are alterable at the site that created them. Thus, Sandifer fails to teach the essential permanent, unalterable backed-up records of the Goodwin invention. The Examiner concluded that: “Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the write protection to provide permanent, unalterable records as taught by Sandifer into the invention of Good to provide security for each record so that critical information is not tampered with or changed.” The Applicant respectfully traverses this combination of Good with Sandifer. First, the purpose of the Good system is to provide the widest possible dissemination of information. There is nothing in Good to suggest any utility of providing a segregated permanent unalterable back-up. The Sandifer invention does offer write protected records but records are only unalterable at sites other than the site that originally created them. The records are still alterable from that original site. Consequently, there is nothing in Sandifer that suggests combining it with Good to provide a permanent unalterable back-up regardless of the site where the records are created and nothing in either patent that suggest the need to provide security for each record so that critical information cannot be tampered with or changed by any user at any site.

Regarding Claim 2, the essential deficiencies of the Good and Sandifer references as outlined regarding Claim 1 are incorporated and realleged by reference herein. Because the Good and Sandifer records do not render Claim 1 obvious, they do not render dependant Claim 2 obvious.

Regarding Claim 8 and Claim 9, the Examiner reasons as was outlined above for Claim 1, again reasoning that Sandifer provides write protection giving an unalterable record. As was explained above, Sandifer does not do that and, as explained above, the Good reference does not provide a permanent segregated back-up. The Applicant will not repeat the arguments that show the combination of Good and Sandifer do not render Claim 1 obvious, but will incorporate and reallege them by reference for Claim 8 and Claim 9.

Regarding Claim 14, the third independent Claim in this application, the Examiner combines Good and Sandifer references as was described for Claim 1 above with Evans, U. S. Patent #6,347,329. Again, the Applicant will incorporate by reference herein the arguments made in response to Claim 1 that the Good reference does not disclose a segregated database nor does it disclose a permanent back-up in said segregated database, and the Sandifer reference does not disclose an unalterable entry into the database and, hence, combining the Good and Sandifer references does not render obvious Claim 14. Rather than repeating the detailed description of the deficiencies in the Good and Sandifer references, the Applicant incorporates the arguments made in response to Claim 1. Adding Evans to Good and Sandifer does not render the essential deficiencies of the Good and Sandifer references. Consequently, it is believed that Claim 14 is allowable as written. Regarding Claim 15, the Examiner repeats the arguments made for the combination of Good, Sandifer, Evans as made in Claim 14. Applicant incorporates by reference the arguments in response to the combination of the Good and Sandifer references for Claim 1. As was argued above, it is believed that the Good and Sandifer references do not disclose a segregated permanent database unalterable by a user and consequently they do not render obvious Claim 14 or Claim 15.

Claims 3-7 depend on Claims 1-2. Claims 10-13 depend on Claims 8-9. Claims 15-20 depend on Claim 14. The Examiner adds Chapin, U. S. Patent #5,931,878 to hold obvious Claims 3

and 10. However, adding Chapin to Good and Sandifer does not remedy the essential deficiencies of Good and Sandifer as references as was argued in response to Claim 1. Consequently, adding Chapin does nothing to render these essential deficiencies of the Good and Sandifer references. Consequently, Claims 3 and 10 should be allowed as written.

Claims 4-7 and Claims 11-13 were held obvious by the Examiner adding Evans, U. S. Patent #6,347,329 to Chapin, Good, and Sandifer. Adding Evans does not render the essential deficiencies of the references of Good and Sandifer as was argued in response to Claim 1. Those arguments are incorporated by reference herein. Consequently, adding Evans to the other combination of references does nothing to remedy the essential deficiencies of Good and Sandifer as 103 references. Consequently, Claims 4-7 and 11-13 should be allowed as written. Regarding Claim 16, the Examiner added Jaing, U. S. Patent #6,278,913. Regarding Claims 17-20, the Examiner added Chapin to the Good, Sandifer, Evans, and Jaing references. Adding these references does nothing to render the essential deficiencies of the Good and Sandifer references as was argued in response to Claim 1. Consequently, Claims 16-20 should be allowed as written.

Claim Rejections and 37CFR 1.31 Declaration

Without abandoning the Applicant's earlier filed arguments and transversal of the Examiner's Office Action, Applicant files contemporaneously herewith a Declaration under 37 C.F.R. 1.131 verifying that prior to June 29, 2000, the filing date for the Good U. S. Patent #6,308,120, and prior to August 1, 2000 filing date of Evans #6,347,329, the Applicant had reduced his invention to practice. Under the provisions of Rule 1.131, this removes the Good and Evans patents as prior art references for the current application.

Regarding Claim 1, the Examiner reasoned that Good taught a method comprising:

- (a) establishing a client system;
- (b) establishing a server system;
- (c) establishing a back-up system;
- (d) connecting said client system, said server system, said back-up system;
- (e) under the control of said client system displaying a record form and in response to data entered on said client system, completing data fields and sending said completed record form and to said server system with unique client identifier;
- (f) under the control of said server system receiving said record with said data and said unique client identifier, storing said record in a segregated database keyed to said client identifier;
- (g) under the control of said back-up system receiving said completed record form permanently stored in said server system and making a permanent back-up so that a back-up of said segregated database is made

The Examiner then reasoned that Sandifer discloses write protection and further reasoned that this made the record permanently attached to each record so that it is unalterable. Therefore, without the Good reference, Sandifer fails to teach (a) through (g) as outlined above. Consequently, without the Good reference, Claim 1 is allowable as written.

Regarding Claim 2, the Examiner also relied on Good, Column 11, Lines 61-67 and Column 12, Lines 1-7, and Lines 29-41 to teach the additional limitations added to Claim 2 for providing automatic warnings of noncompliance with regulations and sending warning to said client system whereby aid is provided in avoiding inadvertent regulatory violations. As with Claim 1, removing Good as a reference by means of the Declaration under 37 C.F.R. 1.131, the Sandifer reference alone fails to render obvious Claim 2.

Regarding Claim 8, the Examiner reasons that Good teaches:

- (a) a client system having a display, a keyboard for data entry, a network connection, and software enabling said client computer to connect to said network connection;
- (b) a server computer with a network connection and record keeping software;
- (c) back-up data storage computer having a network connection;
- (d) means for making a record on said client computer and sending said record on said network connection to said server computer, said record keyed to a unique client identifier;
- (e) means for receiving a client system generated record in said server, storing and organizing said client system generated record with record keeping software in said server computer whereby once a client system generated record is recorded and stored in said server system;
- (f) means for making a back-up copy of said client generated record in said back-up data storage computer.

The Examiner added Sandifer to Good to reason that the Sandifer write protection makes the record permanent and unalterable. Consequently, without the Good reference as prior art, Sandifer alone does not render Claim 8 obvious.

Regarding Claim 9, the Examiner reasons that Claim 9 corresponds to the method in Claim 2 and rejected Claim 9 under the same rationale as Claim 2 was rejected. Applicant incorporates by reference the arguments advanced above regarding the allowability of Claim 2 and will not repeat them here.

Regarding Claims 3, 10, 4-7, and 11-13, the Examiner again relies on the essential teachings of Good in combination with other patents, Sandifer, Chapin Jr., U. S. Patent #5,931,878, and

Evans, U.S. Patent #6,347,329. The Applicant notes that the Declaration under 37 C.F.R. 1.131 establishes a reduction of practice prior to the filing date of Evans of August 1, 2000. Consequently, insofar as Evans is used along with Good to reject Claims 4-7 and 11-13, the Evans reference is no longer prior art as it relates to this application. Regarding each of the above claims without the teaching of the Good patent and/or the Evans patent, the Examiner's grounds for rejection are no longer valid. The Applicant will not repeat in detail arguments related to those rejections and the references but will incorporate by reference herein that the arguments advanced regarding the allowability of Claims 1 and 8. Consequently, it is believed that Claims 3, 10, 4-7, and 11-13 are allowable as written.

Claims 14 and 15 were rejected as unpatentable over Good in view of Sandifer and further in view of Evans. Regarding Claim 14, the Examiner reasoned that Good teaches a system comprising:

- (a) a client computer having a display, means for data entry, means for connection to a network, and software, using said means for network connection to a remote server;
- (b) said remote server computer with means for network connection to said client computer, said client computer software, and with record keeping software;
- (c) said record keeping software with means for providing automatic warning of noncompliance with regulation to said client computer;
- (d) said record keeping software in said remote server computer with means for storing records

The Examiner reasoned that Sandifer discloses write protection, which is equivalent to the claimed unalterable records and Sandifer teaches electronic log books in compliance with FAA regulations. The Examiner further reasoned that Evans discloses a medical record system, which contains a database of patient information accessible to users in varying degrees based on a unique

client identifier.


The Applicant has filed a Declaration under 37 C.F.R. 1.131 removing both the Good and Evans patents as references. Consequently, Sandifer standing alone cannot form a grounds for rejecting Claim 14.

Regarding Claims 15, 16, and 17-20, The Examiner adds additional reference to Jiang, U. S. Patent #6,278,913 to the combination of Good, Sandifer, and Evans. However, with Good and Evans removed as references, Claims 15-20 are allowable as written. Applicant incorporates by reference herein arguments made above regarding the failure of the Sandifer or other references, including Jiang and Chapin, U. S. Patent 5,931,878 to teach what is claimed in the above claims.

Conclusion

The Applicant has responded to all rejections pointing out that the Good and Sandifer references fail to teach the essential fundamentals of the Applicant's invention of a segregated database with an unalterable segregated back-up. Consequently, it is believed that the application is in a condition for allowance and the same is respectfully requested.

This the 2 day of May, 2005.


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